

AGENDA REQUEST FORM

FOR: Council Meeting of September 15, 2020

FROM: Council Member Sarah Marsh


ORDINANCE OR RESOLUTION TITLE AND SUBJECT:

AN ORDINANCE TO AMEND ORDINANCE NO. 6310 FOR THE PURPOSE OF
VACATING ADDITIONAL RIGHT OF WAY ALONG SCHOOL AVENUE

APPROVED FOR AGENDA:

Approved by email
Council Member Sarah Marsh

9/15/2020
Date


Asst. City Attorney Blake Pennington
Approved as to form

9/15/2020
Date

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND ORDINANCE NO. 6310 FOR THE PURPOSE OF
VACATING ADDITIONAL RIGHT OF WAY ALONG SCHOOL AVENUE**

WHEREAS, on May 5, 2020, the City Council passed Ordinance No. 6310 vacating portions of rights of way and general utility easement at 815 South School Avenue; and

WHEREAS, a portion of right of way along South School Avenue was withdrawn from the request before approval by the City Council because it was thought at the time to be right of way that had been dedicated to the State of Arkansas; and

WHEREAS, City staff has now confirmed that the right of way was dedicated to the City of Fayetteville and can be vacated; and

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portion of right of way is not required for corporate purposes.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates the additional portion of right of way described in Exhibit B attached hereto.

Section 2: A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A and the legal description attached as Exhibit B shall be filed in the office of the Washington County Circuit Clerk.

Section 3: This vacation approval is subject to the condition that any relocation of or damage to existing utilities or existing facilities shall be at the owner/developer's expense.

PASSED and **APPROVED** this 15th day of September, 2020.

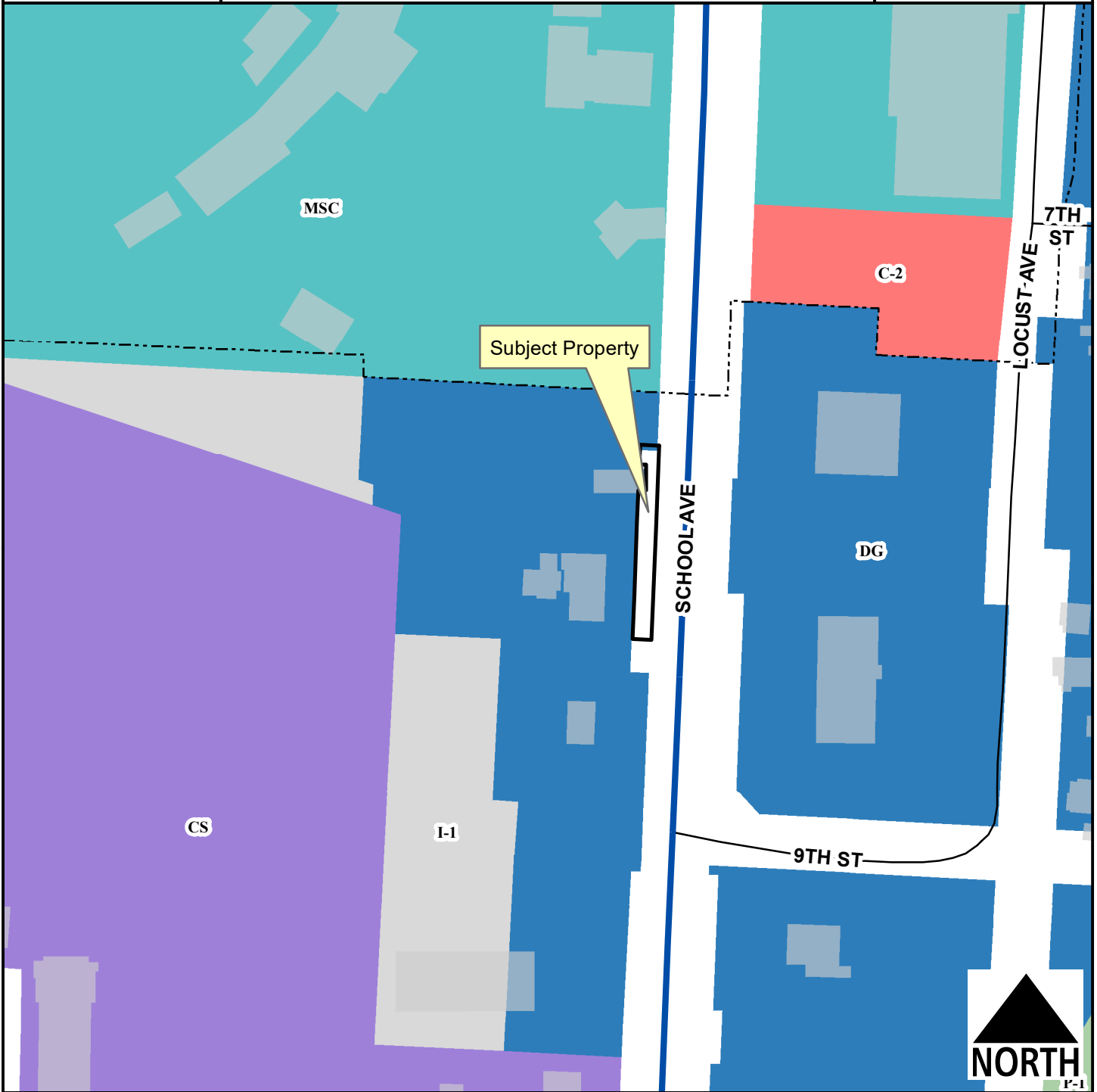
APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

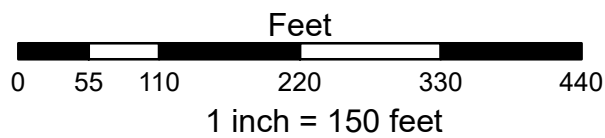
By: _____
KARA PAXTON, City Clerk/Treasurer

Close Up View



Legend

- Planning Area
- Fayetteville City Limits
- Design Overlay District
- Building Footprint



- I-1 Heavy Commercial and Light Industrial
- C-2
- Main Street Center
- Downtown General
- Community Services
- P-1






Not to Scale

Calculated Point
NE Corner Block 15
S87°13'50"E
5.00'
Existing Cotton
Picker Spindle

POC, NE Corner
S21, T16N, R30W
(5/8" Rebar in
Water Valve Box)

N86°57'48"W 1926.41'

LEGEND

-  Boundary Line
-  Road Center Line
-  Easement Line

RIGHT-OF-WAY VACATION DESCRIPTION:

All of that area depicted as Right-of-Way Dedication on record Lot Split, Document No. 2003-33826, as filed June 25, 2003, being located in and across part of Blocks 15 and 16 and the 40' Street platted as 5th Street, all in Fergusons Addition to the City of Fayetteville, according to Plat Record 4, page 203, said Right-of-Way Dedication also being part of the Northwest Quarter Northeast Quarter (NW1/4 NE1/4) Section 21, Township 16 North, Range 30 West, of the Fifth Principal Meridian, Washington County Arkansas, and more particularly described as follows:

COMMENCING at the northeast corner of Section 21; thence North 86°57'48" West a distance of 1,926.41 feet, more or less, to the Northeast Corner of Block 15, Fergusons Addition, from which an existing Cotton Picker Spindle bears North 87°13'50" West 5.00 feet; thence South 02°21'05" West a distance of 259.82 feet; thence North 87°05'11" West a distance of 5.00 feet to the west right-of-way line of U. S. Highway 71B (S. School Avenue), as that currently exist, and the POINT OF BEGINNING; thence leaving said west right-of-way line, North 87°05'11" West a distance of 19.85 feet; thence South 02°15'21" West a distance of 20.46 feet; thence North 89°51'18" East a distance of 6.82 feet; thence South 00°08'03" East a distance of 26.12 feet; thence South 89°54'50" West a distance of 7.91 feet; thence South 02°15'21" West a distance of 153.76 feet; thence South 87°08'14" East a distance of 19.51 feet to said west right-of-way line of U. S. Highway 71B (S. School Avenue); thence North 02°21'05" East along said west right-of-way line a distance of 200.33 feet to the Point of Beginning.

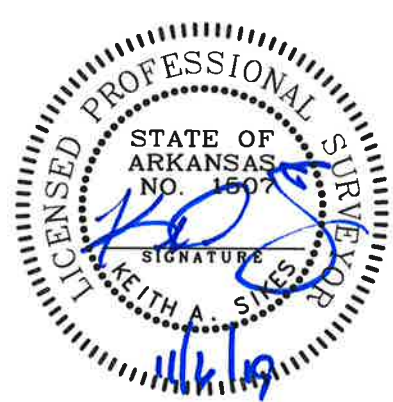
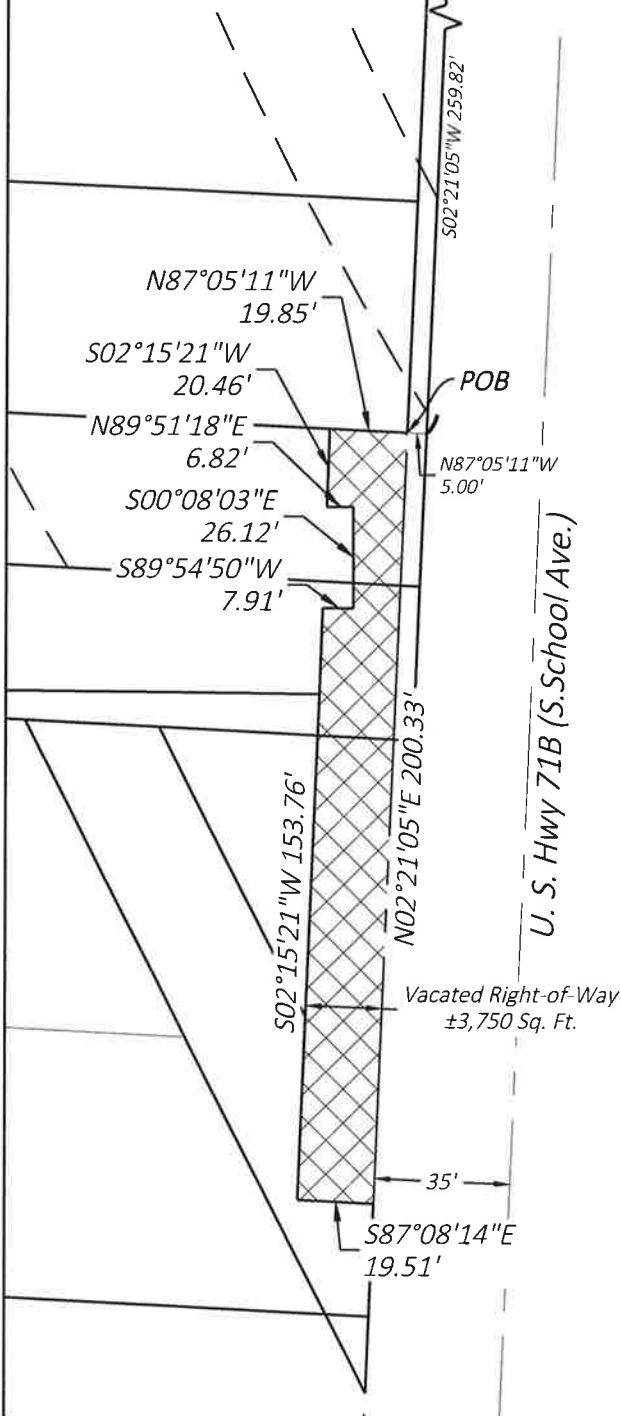


EXHIBIT B
RIGHT-OF-WAY VACATION EXHIBIT

Fayetteville, Washington County, Arkansas

| | |
|---------------|----------|
| Drawn By: | JDS |
| Date: | 11.06.19 |
| Project No.: | SRE-11 |
| Drawing Name: | EXHIBIT |